

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... NOV 16 1989  
 Returned to applicant for correction..... DEC 19 1989  
 Corrected application filed..... FEB 7 1990  
 Map filed..... FEB 7 1990

The applicant..... Marshall Earth Resources, Inc.

P. O. Box 888

Street and No. or P.O. Box No.

....., of..... Virginia City,

City or Town

Nevada 89440-0888

State and Zip Code No.

....., hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)..... December 3, 1979

Reno, Nevada

1. The source of the proposed appropriation is..... Spring in unnamed ravine, Lot 5, Sec. 3,  
Name of stream, lake, spring, underground or other source  
T27N, R34E, M.D.M.
2. The amount of water applied for is..... 0.01114.....second-feet  
One second-foot equals 448.83 gals. per min.  
 (a) If stored in reservoir give number of acre-feet..... 0.009207
3. The water to be used for..... Mining  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated.....
  - (b) Stockwater, state number and kinds of animals to be watered.....
  - (c) Other use (describe fully under "No. 12. Remarks").....
  - (d) Power:
    - (1) Horsepower developed.....
    - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point..... located in Lot 5, Sec. 3, T27N,  
R34E, MDB&M, from said point the NW corner.....  
Describe as being within a 40-acre subdivision of public  
of said Sec. 3 bears N 09° 09' 07" W a distance of 2511.9 feet.  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
6. Place of use..... Portion of Lot 5, Lot 6, Lot 7, Sec. 3, T27N, R34E, MDB&M; and  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.  
Portion of NW1/4 of NW1/4, NE1/4 of NW1/4, NW1/4 of NE1/4, SW1/4 of  
NW1/4, SE1/4 of NW1/4, NW1/4 of SW1/4, NE1/4 of SW1/4, SW1/4 of SW1/4,  
SE1/4 of SW1/4, Sec. 10, T27N, R34E, MDB&M.
7. Use will begin about..... April 20..... and end about..... November 30....., of each year.  
Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... Pond for storage will be filled from  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
existing spring.  
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works..... \$1,000 in dozer work

10. Estimated time required to construct works..... One Week 54176  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... Already set up

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.  
30,000 gals./yr.

s/Hugh Marshall  
By P.O. Box 888  
Virginia City, NV 89440

Compared bp/ db bp/se

Protested 4/11/90 by U.S.D.I. Bureau of Land Management, Winnemucca District  
Pro. Overruled 7-31-90, See Ruling No. 3734

..... APPROVAL ..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.01114 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Diversion is limited to 500 gallons per day for exploratory drilling only.

This permit is issued subject to the State Engineer's Ruling No. 3734, dated July 31, 1990.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.01114 cubic feet per second, but not to exceed 500 gallons per day.

Work must be prosecuted with reasonable diligence and be completed on or before August 30, 1991

Proof of completion of work shall be filed on or before September 30, 1991

Application of water to beneficial use shall be made on or before N/A

Proof of the application of water to beneficial use shall be filed on or before N/A

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed..... IN TESTIMONY WHEREOF, IR. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 30th day of August,

Cultural map filed..... A.D. 19 90

Certificate No. .... Issued..... [Signature]  
State Engineer

WITHDRAWN BY APPROPRIATE OCT 07 1993  
[Signature]  
STATE ENGINEER